

ORDINANCE NO. 2006 - 051

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989
COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.
89-17, AS AMENDED; AMENDING THE FUTURE LAND USE
ATLAS (FLUA) FOR COUNTY INITIATED AMENDMENT
112TH/NORTHLAKE OFFICE (2006-00022), MODIFYING
PAGE 29 OF THE FLUA BY CHANGING THE FUTURE LAND
USE DESIGNATION FOR APPROXIMATELY 10.80 ACRES,
GENERALLY LOCATED ON SOUTHEAST CORNER OF
NORTHLAKE BOULEVARD AND 112TH TERRACE NORTH, FROM
RURAL RESIDENTIAL, 1 UNIT PER 5 ACRES (RR-5) TO
COMMERCIAL LOW OFFICE, WITH AN UNDERLYING RURAL
RESIDENTIAL, 1 UNIT PER 5 ACRES (CLO/RR-5);
PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE
PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of
County Commissioners adopted the 1989 Comprehensive Plan by Ordinance
No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and June 23, 2006 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 19, 2006 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated September 29, 2006 which was the Department's written review of the

1 proposed Comprehensive Plan amendments; and

2 **WHEREAS**, on November 13, 2006 the Palm Beach County Board of
3 County Commissioners held a public hearing to review the written
4 comments submitted by the Department of Community Affairs and to
5 consider adoption of the amendments; and

6 **WHEREAS**, the Palm Beach County Board of County Commissioners has
7 determined that the amendments as modified satisfy the concerns
8 addressed in the Department of Community Affairs' "Objections,
9 Recommendations and Comments Report" and comply with all requirements
10 of the Local Government Comprehensive Planning and Land Development
11 Regulations Act.

12 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

14 Part I. Amendments to the Future Land Use Atlas of the Land Use
15 Element of the 1989 Comprehensive Plan

16 The following amendments to the Land Use Element's Future Land
17 Use Atlas are hereby adopted and attached to this Ordinance:

18 A. **Future Land Use Atlas page 29** is amended as follows:

19 Application No.: 112th/Northlake Office (LGA 2006-00022)

20 Amendment: Rural Residential, 1 unit per 5 acres (RR-
21 5) to Commercial Low Office, with an
22 underlying Rural Residential, 1 unit per 5
23 acres (CLO/RR-5);

24 General Location: Southeast corner of Northlake Boulevard and
25 112th Terrace North

26 Size: Approximately 10.80 acres;

27 B. Condition: This parcel is subject to the following
28 condition:

29 a. Development of the site shall be limited to a maximum of
30 82,799 SF of general office and 11,290 SF of Medical
31 Office uses.

32 Part II. Repeal of Laws in Conflict

33 All local laws and ordinances applying to the unincorporated area
34 of Palm Beach County in conflict with any provision of this ordinance
35 are hereby repealed to the extent of such conflict.

1 Part III. Severability

2 If any section, paragraph, sentence, clause, phrase, or word of
3 this Ordinance is for any reason held by the Court to be
4 unconstitutional, inoperative or void, such holding shall not affect
5 the remainder of this Ordinance.

6 Part IV. Inclusion in the 1989 Comprehensive Plan

7 The provision of this Ordinance shall become and be made a part
8 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
9 Ordinance may be renumbered or relettered to accomplish such, and the
10 word "ordinance" may be changed to "section," "article," or any other
11 appropriate word.

12 Part V. Effective Date

13 The effective date of this plan amendment shall be the date a
14 final order is issued by the Department of Community Affairs or
15 Administration Commission finding the amendment in compliance in
16 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
17 applicable. No development orders, development permits, or land uses
18 dependent on this amendment may be issued or commence before it has
19 become effective. If a final order of noncompliance is issued by the
20 Administration Commission, this amendment may nevertheless be made
21 effective by adoption of a resolution affirming its effective status,
22 a copy of which resolution shall be sent to the Florida Department of
23 Community Affairs, Division of Community Planning, Plan Processing
24 Team. An adopted amendment whose effective date is delayed by law
25 shall be considered part of the adopted plan until determined to be
26 not in compliance by final order of the Administration Commission.
27 Then, it shall no longer be part of the adopted plan unless the local
28

1 government adopts a resolution affirming its effectiveness in the
2 manner provided by law.

3 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
4 Beach County, on the 13 day of November, 2006.

5 ATTEST:
6 SHARON R. BOCK, CLERK &
7 COMPTROLLER
8

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

9 By: *Judith Cookie* By: *Addie L. Greene*
10 Deputy Clerk COUNTY Addie L. Greene, Vice-Chairperson
11 FLORIDA
12

13 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
14

15 *Ned D. Bock*
16 COUNTY ATTORNEY
17

18 Filed with the Department of State on the 21st day of
19 November, 2006.
20

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22
23

EXHIBIT 1

112th/Northlake Office (LGA 2006-00022)

Amendment No.: 112th/Northlake Office (LGA 2006-00022)

FLUA Page No.: 29

Amendment: From Rural Residential, 1 unit per 5 acres (RR-5) to Commercial Low Office, with an underlying Rural Residential, 1 unit per 5 acres (CLO/RR-5)

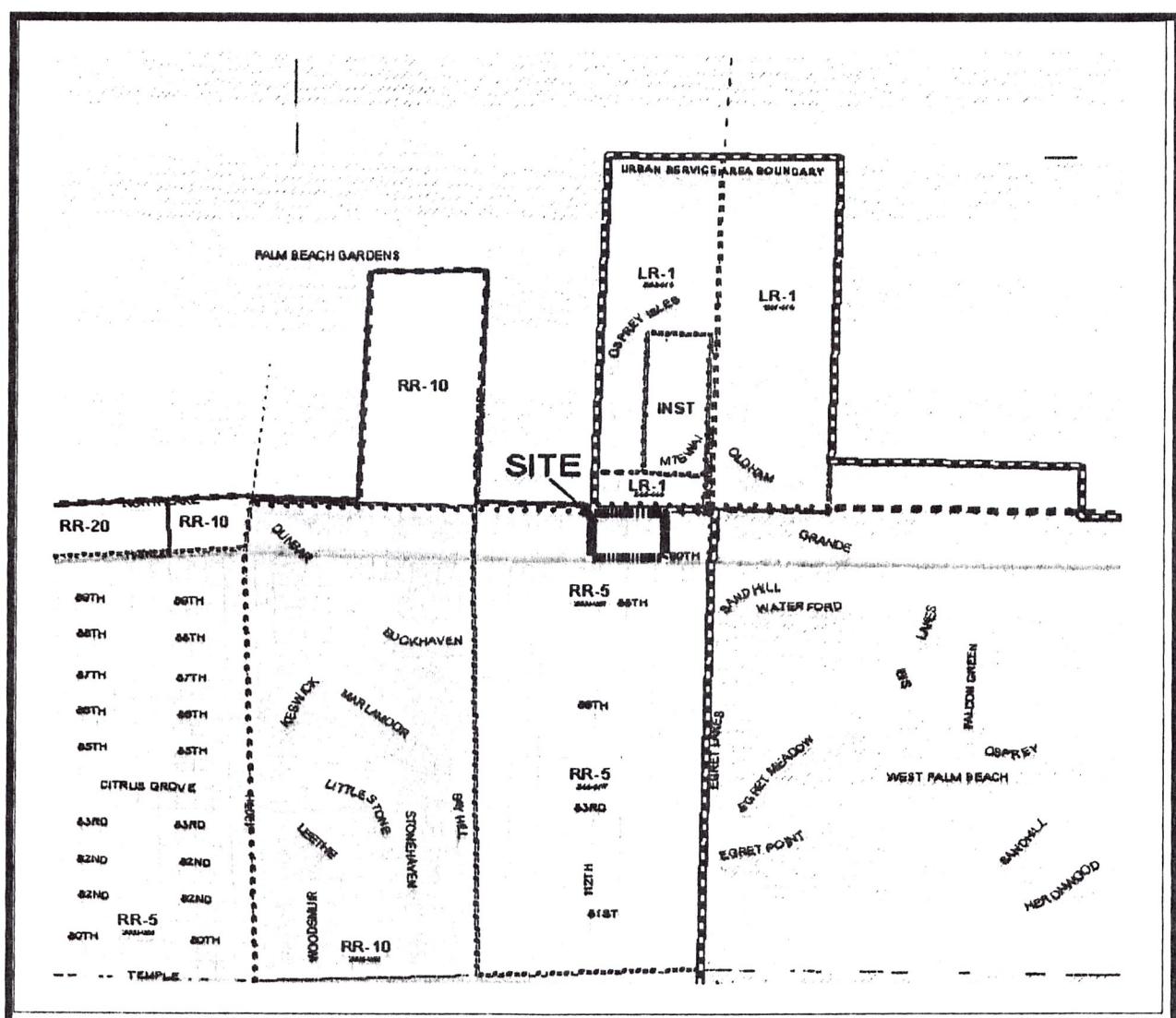
Location: Southeast corner of Northlake Boulevard and 112th Terrace North.

Size: Approximately 10.8 acres

Property No.: 00-41-42-14-00-000-5020 & 00-41-42-14-00-000-5000

Legal Description: See attached

Condition Development of the site shall be limited to a maximum of 82,799 SF of general office and 11,290 SF of Medical Office uses.



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LEGAL DESCRIPTION:

PARCEL A:

THE EAST 1/2 OF THE EAST 1/2 OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 41 EAST, LESS THAT PART LYING NORTH OF THE SOUTH RIGHT OF WAY LINE OF THE WEST LAKE PARK ROAD EXTENSION AS DESCRIBED IN RIGHT OF WAY DEED FROM H.K. TERRY, ET AL., TO COUNTY OF PALM BEACH IN STATE OF FLORIDA, DATED JUNE 4, 1965, AND FILED NOVEMBER 18, 1965 IN OFFICIAL RECORD BOOK 1290, PAGE 513, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LESS THE WEST 377.23 FEET THEREOF AND ALSO LESS THE EAST 535 FEET THEREOF.

PARCEL B:

THE WEST 377.23 FEET OF THE EAST ONE-HALF (E 1/2) OF THE EAST ONE-HALF (E 1/2) OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 41 EAST, LESS THAT PART LYING NORTH OF THE SOUTH RIGHT OF WAY LINE OF WEST LAKE PARK ROAD EXTENSION AS DESCRIBED IN RIGHT OF WAY DEED FOR H.K. TERRY ET AL., TO COUNTY OF PALM BEACH IN THE STATE OF FLORIDA, DATED JUNE 4, 1965, AND FILED NOVEMBER 18, 1965 IN OFFICIAL RECORD BOOK 1290, PAGE 513, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO A 60 FOOT RIGHT OF WAY EASEMENT OVER THE WEST 60 FEET AND FURTHER SUBJECT TO RESTRICTION, RESERVATION AND EASEMENTS OF RECORD.

LESS FROM BOTH PARCELS ABOVE, ADDITIONAL LANDS, FOR ROAD RIGHT(S)-OF-WAY, CONVEYED TO PALM BEACH COUNTY BY INSTRUMENT(S) RECORDED IN OFFICIAL RECORD BOOK 12123, PAGE 179, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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